

**Mailing Certification**

I certify that I am depositing this paper pursuant to 37 CFR §1.8 with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231 on 1/22/02

*Deborah J. Mayon*

**Docket No. 1831D**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	:	
Hanchett, et al.	:	
S. N.: Divisional Application of 09/371,318	:	Group Art Unit: To be assigned (originally 1781)
Filed: Concurrently Herewith	:	Examiner: To be assigned (originally P. Dubois)
For: <u>SAGO FLUIDITY STARCH AND USE THEREOF</u>	:	

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant respectfully requests the following preliminary amendment be entered and the claims considered in light thereof.

**IN THE SPECIFICATION**

Please add the following sentence as a new paragraph before the heading "BACKGROUND OF THE INVENTION" on page 1 on the Specification:

This application is a divisional of U.S. application 09/371,318 filed August 10, 1999.

**IN THE CLAIMS**

Please cancel claims 1-8 and 18.

Please amend claim 9 as follows:

9. A composition comprising a sago starch having a water fluidity of from about 40 to about 80 and water.

Please add the following new claims:

19. A method for increasing the gel strength of a composition comprising adding sago starch having a water fluidity of from about 40 to about 80.

20. The method of claim 18 wherein the composition has at least about the same gel strength as a composition comprising 30% more of a comparable WF corn starch.

21. The method of claim 18 wherein the composition has about the same gel strength as a composition comprising 50% more of a comparable WF corn starch.

22. The method of claim 18 wherein the composition has at least about the same gel strength as a composition comprising 100% more of a comparable WF corn starch.

23. The method of claim 18 wherein the composition has a gel strength which is about 100% greater than a composition comprising a comparable WF corn fluidity starch.

24. The method of claim 18 wherein the composition has a gel strength which is about 200% greater than a composition comprising a comparable WF corn fluidity starch.

25. The method of claim 18 wherein the composition has a gel strength which is about 250% greater than a composition comprising a comparable WF corn fluidity starch.

26. The method of claim 18 wherein the composition is selected from the group consisting of food products, personal care products, pharmaceuticals, nutraceuticals, paper products, agricultural products, paints, paper board products, gypsum board products, and textile warp sizings.

27. The method of claim 18, wherein the composition is selected from the group consisting of confectioneries, noodles, puddings, custards, flans, fillings, imitation cheeses, cheese products, toppings, icings, imitation fish, imitation poultry, imitation meat, starch balls, yogurts, spreads, gelled desserts, jellies, and egg products.

#### STATUS OF THE CLAIMS

Claims 1-18 were originally filed in parent application 09/371,318 filed August 10, 1999.

There was a three way restriction by the Examiner as follows: Group I: Claims 1-8 directed to a starch product; Group II: Claims 9-17, directed to composition comprising the starch product and Group III: Claim 18, a process of making the composition:. Applicant elected to prosecute Group I.


Group II claims 9-17 are now presented for consideration as amended, along with new claims 18-26 directed to a method of using a sago starch having a water fluidity of between about 40 and about 80.

#### REMARKS

In this preliminary amendment to the Divisional filed in the above case, original claims 9-17 (Group II restriction). The Specification has been amended to designate its relation to U.S. Serial No. 09/371,318 filed August 10, 1999. Claim 9 has been re-written in independent form and new claims 18-26 have been added which are directed a method of using a sago starch having a water fluidity of between about 40 to about 80. Basis for the new claims can be found through the Specification and original claims. No new matter has been added to the Specification or Claims.

Applicant respectfully requests action and is encouraged to contact the undersigned if there are any questions regarding this case.

Respectfully submitted,

  
Laurelee A. Duncan, Reg. No. 44,096  
Attorney for Applicants  
Tel. No. 908-683-5433

National Starch and Chemical Company  
P. O. Box 6500  
Bridgewater, New Jersey 08807-0500  
January 21, 2002

**Version with marking to show changes made**

9. (amended once) A composition comprising [the starch of claim 1] a sago starch having a water fluidity of from about 40 to about 80 and water.